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January 2, 2002

Via Facsimile - (202) 616-9937

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Dear Ms. Hesse:

As an attorney and a former three-term member of the Asheville City Council, I have had an invaluable opportunity to see both the good and the bad that can result from government action. As a result, I have been concerned for some time about the impact of the antitrust suit that the federal government and a number of states were pursuing against Microsoft.

I am glad to see now that a settlement has been tentatively reached. I was also heartened by the decision of North Carolina's Attorney General, Roy Cooper, to remove our state from the suit. He looked long and hard at the issue, and he obviously concluded that the settlement deals adequately with Microsoft's misdeeds and provides sufficient remedies to prevent future misdeeds.

According to reports I have seen on the proposed settlement agreement, Microsoft could not penalize computer manufacturers that distribute competing software, and the manufacturers would be free to install or promote non-Microsoft products and services. This seems to me to protect against anti-competitive behavior and make the settlement extremely fair and reasonable.

At a time when our nation is at war with terrorism and our economy is in recession, it would be wise to reach a settlement in this matter. Both the public and private sectors must get about the business of rebuilding a vital, growing economy. I sincerely hope that the federal courts will approve this settlement and put this matter behind us.

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Ms. Renata Hesse  
January 2, 2002

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Thank you for your attention

Sincerely,



M. Charles Cloninger

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